

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
JULY 29, 2002

D039133 In re Morgan G., a Juvenile

The petition for rehearing is denied.

D037113 People v. Blaney

The restitution fine of \$10,000 is stricken. The abstract of judgment is ordered to be corrected. As modified, the judgment is affirmed. Kremer, P.J.; We Concur: Benke, J., McIntyre, J.

D037815 XXSYS Technologies, Inc. v. The State of California et al.

The judgment is reversed. Appellant is entitled to costs on appeal. Kremer, P.J.; We Concur: Benke, J., Nares, J.

D038132 People v. Neild

The opinion filed July 1, 2002, is modified. There is no change in judgment. The petition for rehearing is denied.

D040502 People v. O'Connor

Defendant's appeal of the 5-3-01 denial of his motion to dismiss for lack of a speedy trial is untimely. The appeal is dismissed.

D038510 In re Gregory C., a Juvenile

Judgment affirmed. Nares, Acting P.J.; We Concur: Haller, J., McIntyre, J.

D037124 People v. Carrasco et al.

D038789 In re Hallman on Habeas Corpus

D039780 In re Carrasco on Habeas Corpus

The pending petitions for writ of habeas corpus, In re Hallman, D038789, and In re Carrasco, D039780, are consolidated with the pending appeal, People v. Carrasco, D037124, for disposition.

D037124 People v. Carrasco et al.

D038789 In re Hallman on Habeas Corpus

D039780 In re Carrasco on Habeas Corpus

(Consolidated) The judgments are affirmed. The petitions for writ of habeas corpus are denied. Nares, Acting P.J.; We Concur: Haller, J., McDonald, J.

D038345 Estate of Donald Romane Gutterud, Deceased

Upon written request filed by appellant, the appeal is dismissed and the remittitur is ordered to issue immediately (Cal. Rules of Court, rule 19(b)).

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
JULY 30, 2002

D038279 Quiroz v. Fronteras Del Norte, Inc.

The judgment is affirmed. Nares, J.; We Concur: Benke, J., McDonald, J.

D040412 Emilio C. v. Superior Court of the County of San Diego/San Diego County Health and Human Services Agency

The attorney for petitioner Emilio C. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable issues for writ review. The case is dismissed.

D038487 Britt v. San Diego Unified Port District

The judgment is affirmed. Kremer, P.J.; We Concur: Haller, J., McIntyre, J.

D038137 People v. Gaxiola

The judgment is affirmed. Nares, Acting P.J.; We Concur: Haller, J., McDonald, J.

D039440 Department of Alcoholic Beverage Control v. Alcoholic Beverage Control Appeals Board of California/Circle K Stores, Inc.

Accordingly, we grant the petition for writ of review and annul the Board's order reversing the decision of the Department. McIntyre, J.; We Concur: Haller, Acting P.J., McDonald, J.

D037601 People v. Didyavong

The judgment of conviction is affirmed. McIntyre, J.; We Concur: Kremer, P.J., Benke, J.

D039983 Troia v. Nigro

Pursuant to California Rules of Court, rule 8, the appeal filed April 19, 2002, is dismissed for failure of appellant to timely deposit costs for preparing the record on appeal (Cal. Rules of Court, rule 4(b) and 5(c)).

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
JULY 31, 2002

D039778 Alberts et al. v. Ferrigno et al.

Upon written stipulation filed by the parties to the appeal, the appeal is dismissed. Each party to bear own costs on appeal.

D040037 Levy et al. v. Lief et al.

Upon written stipulation filed by the parties to the appeal, the appeal is dismissed. Each party to bear own costs on appeal.

D040292 Nano C. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The attorney for petitioner Nano C. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable issues for writ review. The case is dismissed.

D036023 People v. Cain

Judgment affirmed. Haller J.; We Concur: Nares, Acting P.J., McDonald, J.

D040510 City of San Diego v. Superior Court of San Diego County/Easterby

The petition is denied.

D040330 In re Sims on Habeas Corpus

The petition is denied.

D040384 In re Thomas on Habeas Corpus

The petition is denied.

D040514 In re Brooks on Habeas Corpus

The petition is denied.

D040388 In re Roe on Habeas Corpus

The petition is denied.

D036967 People v. Cardozo

The petition for rehearing is denied.

D040273 In re Connelly on Habeas Corpus

The petition is denied.

D040528 Hubka v. Superior Court of San Diego County/People

The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
August 1, 2002

D036698 People v. Robinson

The judgment is affirmed. Nares, Acting P.J.; We Concur: Haller, J., McDonald, J.

D040538 Baltierra v. Superior Court of San Diego County/U.S. Financial, L.P. et al.

The petition is denied.

D039685 Levy et al. v. La Jolla Mesa Vista Homeowners Association et al.

Upon written stipulation filed by the parties to the appeal, the appeal is dismissed and the remittitur is ordered to issue immediately (Cal. Rules of Court, rule 19(b)). Each party to bear own costs on appeal.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
August 2, 2002

**D039273 Pardee Construction Company v. Superior Court of San Diego County/
Rodriguez et al.**

The petition is denied. This Court's stay issued March 6, 2002, is vacated upon this decision becoming final. Real parties in interest to recover costs. CERTIFIED FOR PUBLICATION. Kremer, P.J.
We Concur: Haller, J., McIntyre, J.

D039736 In re L.B., a Juvenile

The judgment is affirmed. Benke, J.; We Concur: Kremer, P.J., Nares, J.

D040004 In re Sarah G., a Juvenile

The appeal is dismissed. Nares, J.; We Concur: Benke, Acting P.J., McDonald, J.

**D039443 Department of Alcoholic Beverage Control v. Alcoholic Beverage Control Appeals
Board of California/4805 Convoy, Inc.**

Accordingly, we grant the petition for writ of review and annul the Board's order reversing the decision of the Department. We remand the matter for further proceedings. CERTIFIED FOR PUBLICATION.
McIntyre, J.; We Concur: Haller, Acting P.J., McDonald, J.

D038159 People v. White

The judgment is affirmed. McConnell, J.; We Concur: Nares, Acting P.J., O'Rourke, J.

D038978 People v. Dupre

The judgment is affirmed. McDonald, J.; We Concur: Benke, Acting P.J., Nares, J.

D040474 Dulansky v. Kia Motors

The requirements for transfer have not been satisfied. (Cal. Rules of Court, rule 61 et seq.) The appeal is dismissed.

D038352 People v. Thornton

Judgment affirmed. Kremer, P.J.; We Concur: Benke, Acting P.J., McDonald, J.

D039457 Shaver v. Ecolab, Inc./Medina

Upon filing written abandonments of appeal, the appeals are dismissed. Each party to bear own costs.

D039014 People v. Turner

The judgment is affirmed. Kremer, P.J.; We Concur: Benke, J., McDonald, J.

D040324 In re Smith on Habeas Corpus

D040333 In re Smith on Habeas Corpus

(Consolidated) Petitioner's multiple motions and requests are denied. The petitions are denied.

D040406 In re Cuevas on Habeas Corpus

The petition is denied.